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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,590

09/15/2003

Shunsuke Nagatani

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OLIFF & BERRIDGE, PLC

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ALEXANDRIA, VA 22320-4850

EXAMINER

MOTSINGER, SEAN T

ART UNIT

PAPER NUMBER

2624

NOTIFICATION DATE

DELIVERY MODE

03/19/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com

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Office Action Summary	Application No. 10/661,590	Applicant(s) NAGATANI ET AL.	
	Examiner SEAN MOTSINGER	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6 and 9-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,9-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/26/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments/Amendments

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/25/2010 has been entered.

Applicants argument with respect to 35 U.S.C. 112 have been fully considered, applicants amendments have overcome the rejections.

Applicants arguments with respect to the prior art have been fully considered but are not persuasive. Applicant argues that the retrieval unit is not capable of searching meta data and voice index data because it can only search one at a time. The examiner does not agree with applicants assertion that only one field of data can be searched at time Merrill does not say this nowhere does it say only a single field of data can be selected . However the claims do not require the retrieval unit be capable of retrieving these elements at the same time only that they both may be retrieved which is clearly disclosed in Merrill. Furthermore even if searching multiple fields of data at the same time was claimed it would almost certainly be found to be obvious.

Rejections Under 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,249,281 issued to Chen et al. ("Chen") in view of Merrill et al US 6,789,228.

For claim 1, Chen discloses an input unit that accepts an input keyword (see figure 8 keyword search field 820).

Chen discloses a storage unit that stores static image data which are associated with time positions in a video data, the static image data being displayed with the video during time positions with which the static image data are associated (see figure 8 the retrieved static image data is displayed as a static image, and the static image data is displayed at a given reproduction time position associated with the video data when the user selects the static image, such as the beginning of the presentation for example. (See also column 5 line 57 through column 6 line 32 and figure 5).

Chen discloses a video display unit for displaying the retrieved static image data as a static image (see figure 8 the retrieved static image data is displayed as a static image); and according to user's operation for selecting the displayed static image, reproducing and displaying video data as an image from a reproduction time position

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with which the static image data is associated (the video data is displayed at a given reproduction time position associated with the static image data when the user selects the static image, such as the beginning of the presentation for example. See also figure 5 and column 5 line 57 through column 6 line 32).

Chen discloses an extraction unit that extracts a character string contained in static image data and a retrieval unit that matches the extracted character string with the input keyword to retrieve relevant static image data (see figure 8 the keyword is input to the keyword search field 820 and static image data with extracted character strings that match the keyword are retrieved).

Chen does not explicitly disclose extracts a character string contained in static image data by at least one of (1) extracting text data from the static image data which has the text data, and (2) performing character recognition processing on the static image data and extracting text data which is a result of the processing.

Merril discloses extracts a character string contained in static image data by at least one of (1) extracting text data from the static image data which has the text data, and (2) performing character recognition processing on the static image data and extracting text data which is a result of the processing (optical character recognition on slides column 6 lines 64-67). A retrieval unit retrieving at meta data (slide transcript, summary abstract author name location column 7 lines 1-10, which are fully searchable column 7 lines 10-20) and the voice index data (voice transcript column 7 lines 1-10) that include the input word (fully searchable column 7 lines 10-20). The motivation to combine is to allow searching of voice data and text data (see column 10

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lines 30-50) Therefore it would have been obvious to combine Chen with Merrill to reach the aforementioned advantage.

Re claim 4 Claim 4 is the method performed by the system of claim 1 and is likewise rejected

Re claim 6 claim 6 is a computer program corresponding to the method of claim 4 claim 6 is likewise rejected

Re claims 9-11 these claims depend from claims 1,4 and 6 respectively and recite, wherein the video display unit displays a time scale including a slidable plug and the user's operation for selecting at least one of the displayed relevant static image data comprises moving a slidable plug on a displayed time scale to select a slide image that is associated with the time position of the video data to be replayed which is disclosed by Chen in column 5 lines 40-50.

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,249,281 issued to Chen et al. ("Chen") in view of Merrill et al US 6,789,228 in view of Clements, Cardillo and Miller Phonetic Searching of Digital Audio Published 2001 Washington National Association of Broadcasters p131-140.

Re claim 14 Chen and Merrill disclose all the elements of claim 1 the do not disclose wherein the input keyword is converted into voice waveform data, the voice waveform data being matched by the retrieval unit during the retrieval of the voice index data. Clements discloses wherein the input keyword is converted into voice waveform data, the voice waveform data being matched by the retrieval unit during the retrieval of the voice index data (see Page there section entitled Query term processing and searching: note that text is converted to sound for the purpose of matching the voice data and the track and the time the term was uttered is returned by the search algorithm). It would have been obvious to combine Clements with Chen and Merrill to achieve the goal of quickly and efficiently searching audio files see abstract of Clements.

Re claim 13 Claim 13 is the method performed by the system of claim 12 and is likewise rejected

Re claim 14 claims 14 is a computer program corresponding to the method of claim 13 claim 14 is likewise rejected

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEAN MOTSINGER whose telephone number is (571)270-1237. The examiner can normally be reached on 9-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bhavesh M Mehta/
Supervisory Patent Examiner, Art Unit 2624

Motsinger
3/12/2010